

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA, Plaintiff, vs. ANTHONY EUGENE KRUGER, Defendant.	Cr. No. 3:23-cr-79 DEFENDANT'S MOTION TO CONTINUE TRIAL
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Comes now Anthony Eugene Kruger, by and through his attorney, Assistant Federal Public Defender Anne M. Carter, and moves the Court for its Order extending the trial setting of October 31, 2023, as well as all related pretrial deadlines.

As grounds, Defendant states:

1. Defendant made his initial appearance and was arraigned on August 24, 2023, on an Indictment, charging the Defendant with Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(8), and 2.
2. The Court entered its Criminal Pretrial Order and Jury Trial Notice on August 25, 2023, setting the jury trial for October 31, 2023.
3. Defendant received discovery from the government on August 25, 2023.
4. Defense counsel needs additional time to properly investigate this matter and prepare for trial. Additional investigative work, based on a review of the

discovery material, is necessary before defense counsel can competently advise the Defendant if a plea agreement or trial is in his best interests.

5. Defense counsel has advised the Defendant of this motion, its purpose, and constitutional and statutory right to a speedy trial, pursuant to 18 U.S.C. § 3161 et seq. Defendant said he would consent to a continuance and has executed a written consent form, which is being filed contemporaneously with this motion.

6. Defendant is currently detained at the MN Correctional Facility in Lino Lakes, Minnesota.

7. The Government, through Assistant United States Attorney Jacob Rodenbiker, does not object to this motion.

8. The undersigned, further, represents to the Court that this motion is made neither for purposes of undue delay nor other improper reason. Counsel makes this request for the Defendant in order to have the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

WHEREFORE, Defendant Anthony Eugene Kruger, requests that the Court continue the trial setting to a time past October 31, 2023, and further, that all related pretrial deadlines be continued.

Dated this 25th day of September, 2023.

Respectfully submitted,

JASON J. TUPMAN
Federal Public Defender
By:

/s/ Anne M. Carter
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